

REMARKS

In the office action (the action) dated May 1, 2003, claims 9-20 were withdrawn from further consideration in light of Applicants' election of claims 1-8 in response to the Examiners restriction requirement. Applicant therefore cancels claims 9-20, and claims 1-8 remain pending.

The Examiner objected to the disclosure of the specification and the title, and the specification has been amended in accordance with these objections.

The Examiner objected to an informality in claim 1. Claim 1 has been amended to include a semicolon to overcome this objection.

The Examiner rejected claims 1-3 and 5 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,239,855 to Nakahara et al. (Nakahara). Claim 6 was rejected under 35 U.S.C. §102(e) as being anticipated by Nakahara considered with Applicant's related art. Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nakahara.

Claim 1 recites a combination of elements including "a first step coverage-compensating layer disposed between the first substrate and the main seal" and "a second step coverage-compensating layer disposed between the first substrate and the plurality of dummy seals, the second step coverage-compensating layer having substantially a same thickness as the first step coverage-compensating layer." Nakahara does not teach or disclose at least these features of the present invention.

Nakahara discloses the use of dummy seals to overcome gap uniformity problems in the vicinity of an injection seal. (See Nakahara col. 7, ll. 5-9.) Further the dummy seals are placed on a functional film in an outer area in which the functional film has the same thickness in the outer area as in an inner area. (See Nakahara col. 4, ll. 57-62.) Therefore this functional film is extended continuously from an inner area out to an outer area where the dummy seals are placed. Further, the film should have the same thickness where the injection and dummy seals are placed. In one example the functional film may be a color filter. The functional film is disclosed as a single contiguous film. The present invention teaches a first and second step coverage-compensating layers. In addition, the first and second step coverage-compensating layers have a step as the name implies. The second step coverage-compensating layer has the same height as

the first step coverage-compensating layer so that the main seal and dummy seal end up at the same height. The functional film of Nakahara does not have a step, but rather is a single contiguous film. Therefore, Nakahara does not teach or disclose the first and second step coverage-compensating layers of claim 1.

The Examiner has stated that Nakahara discloses a functional film in a inner area within the injection seals and liquid crystal injection area and asserts that these functional films correspond to the first and second step coverage-compensating layers.

However, Nakahara discloses that the dummy seal is formed only on a portion of the functional film which is within an outer area outside the liquid crystal injection area, and the thickness of the functional film provided in the outer area is substantially the same as that of the functional film in an inner area within the injection seals (Column 4, lines 57-62).

In Nakahara, the inner area within the injection seals is the liquid crystal injection area, i.e., the liquid crystal display panel area.

That is, Nakahara fails to teach or suggest the first step coverage-compensating layer provided between the substrate and the main seal, the first step coverage-compensating layer having substantially the same thickness as that of the second step coverage-compensating layer provided between the first substrate and the dummy seals, e.g., outside the liquid crystal injection area.

Claims 2-8 depend from claim 1, so for at least the reasons stated above, claims 2-8 are allowable over Nakahara.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Applicant hereby authorizes the Commissioner of Patents to charge any fees necessary to complete this filing, including any fees required under 37 C.F.R. §1.136 for any necessary Extension of Time to make the filing of the attached documents timely, or credit any overpayment in fees, to Deposit Account No. 50-0911. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. §1.136 for the necessary extension of time.

Dated: October 1, 2003

Respectfully submitted,

By Eric J. Nuss Reg No
Eric J. Nuss 41786
Registration No.: 40,106
MCKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorneys for Applicant

